




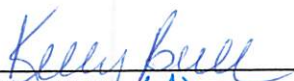
SIGN REGULATIONS

Amended and adopted by the Town Council of the Town of Gander on the 21st day of July 2021, and to come into effect as of the 22nd day of July 2021.

A copy of these Regulations was sent to the Minister of Municipal and Provincial Affairs on the 28th day of July, 2021.



MAYOR




TOWN CLERK (A)

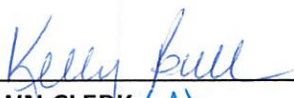
PUBLISHED BY AUTHORITY

Pursuant and by virtue of the powers conferred by Section 414 and any other enabling sections of the *Municipalities Act, 1999 Chapter M-24* as amended, the Town Council of the Town of Gander hereby adopts the following Sign Regulations.

A copy of these Regulations was forwarded to the Minister of Municipal and Provincial Affairs on the 28th day of July, 2021.



MAYOR



TOWN CLERK (A)

SIGN REGULATIONS

1. Title

These Regulations may be cited as the Town of Gander Sign Regulations.

2. Definitions

For the purpose of these Regulations,

- a) "Advertisement" means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement or direction; excluding such things employed wholly as memorial, or functional advertisement of Council, or other local authority, public utilities and public transport undertakers, and including any hoarding or similar structure used or adapted for use for the display of advertisements;
- b) "The Authority" means the Town Council of the Town of Gander;
- c) "Billboard" means any advertisement described for use under Section 4 of these Regulations and regarded as a general informative package not necessarily promoting a local product or business, or announcing direction to a specified location;
- d) "Off-Site" means any advertisement described for use under Section 4 of these Regulations and intended for the purpose of announcing direction to particular site;
- e) "Permanently Fixed Signs" means any advertising device described for use under Section 4 of these Regulations, permitted to be erected and is securely anchored through permanent measures such as footings etc;

- f) "Political Signage" means any advertising device described for use under Section 6 of these Regulations, permitted to be erected solely for the purpose of election promotion;
- g) "Portable Sign" means any advertisement described for use under Section 5 of these Regulations, permitted to be erected, usually for a specified time period as set out by Council, but easily moved upon notice. This type of advertisement is usually reusable and moved to various locations. Vehicles & trailers, etc. with advertising markings/designs or carrying signage and placed on site for the sole purpose of advertising, shall be considered Temporary/ Portable Signs under these Regulations;
- h) "Sign Face Area" means the total area in height and width of the entire advertising device, excluding posts, etc. It shall include any framing or border around the actual lettering, graphics, etc. Irregular shaped signs shall have their area determined by the outermost height and width of the sign face;
- i) "Sign Height" means the distance from the finished grade to the highest point on the existing sign;
- j) "Temporary Sign" means any advertisement described for use under Section 5 of these Regulations, permitted to be erected for a specified time period as set out by Council, after which time it shall be removed;
- k) As per Schedule "A" of the Town of Gander's Development Regulations.

3. Application

- a) No person shall erect a sign or advertisement within the boundaries of the Town of Gander except in accordance with these Regulations;
- b) A Building Permit is required for the erection of all signs/ advertisements except as noted;
- c) Building Permit fee:
 - i. Minor construction (under \$20,000 value) \$1.00 for each \$1,000 construction value with a minimum charge of \$10.00;
 - ii. Major Construction (over \$20,000 value) \$2.00 for each \$1,000.00 construction value. Fee to be paid upon receipt of application.

4. Permanently Fixed Signs/ Advertising Devices

The conditions which apply to "Permanently Fixed Signs/Advertising Devices" and which shall apply to an erection or display of an advertisement on any lot or site occupied by a use permitted in the pertinent zone are as follows:

a) On-Site

- i. The size, shape, illumination and material construction of the advertisement shall be to the satisfaction of the authority, having regard to the safety and convenience of uses of adjacent streets and sidewalks

and the general amenities of the surrounding area. The Canadian Standards Association (or other recognized authority approved by the Town of Gander) must authorize all electrical signs prior to hook-up;

- ii. No freestanding advertisement shall exceed 15 square metres (sign area), however area may be increased by 10% for every 10 km increase in the speed limit. (Over 60 km/hr);
- iii. Advertisements incorporated into the architectural design of any building in the zone shall not exceed 25% of the building face;
- iv. For Comprehensive Development Schemes (large shopping centres, etc.), a sign face area of up to 30 square metres may be permitted, at the discretion of Council.

b) Off-Site (General)

- i. The location, siting and illumination of each advertisement shall be to the satisfaction of the authority, having regard to the grade and alignment of the streets, the location of the street junctions, the location of nearby buildings and the preservation of the amenities of the surrounding area. The Canadian Standards Association (or other recognized authority approved by the Town of Gander) must authorize all electrical signs prior to hook-up;
- ii. The advertisement shall only show thereon the name and nature of, and the distance and direction to, the premises to which they relate;
- iii. Written permission shall be obtained from the owners, tenants and occupiers of the land on which the advertisement is to be displayed or erected;
- iv. Each advertisement shall not exceed 6 square metres;
- v. The advertisement shall not be situated, in whole or in part, within the right-of-way of a public street;
- vi. The advertisement shall be set back from the property line a minimum distance of one half (1/2) the height of the sign;
- vii. All off-site/third party signage will only be permitted in non-residential zones;
- viii. Permanently fixed signs are not permitted on town owned property.

c) Off-Site (Billboards)

- i. The location, siting and illumination of each advertisement shall be to the satisfaction of the authority, having regard to the grade and alignment of the streets, the location of the street junctions, the location of nearby buildings and the preservation of the amenities of the surrounding area. The Canadian Standards Association (or other recognized authority approved by the Town of Gander) must authorize all electrical signs prior to hook-up;

- ii. Written permission shall be obtained from the owners, tenants and occupiers of the land on which the advertisements is to be displayed or erected;
- iii. Each advertisement shall not exceed 20 square metres;
- iv. The advertisement shall not be situated, in whole or in part, within the right-of-way of a public street;
- v. The advertisement shall be set back from the property line at a minimum distance of one half (1/2) the height of the sign;
- vi. Off-site/third party signage will only be permitted in non-residential zones.

d) General

- i. A Building Permit is required for all signs covered under Section I. Drawings shall be submitted to the Engineering Department of the Town of Gander and reviewed in accordance with the National Building Code of Canada and Town Regulations and by-laws;
- ii. The maximum overall height of any sign covered under this section is 10 metres from ground level to the top of the sign. Any freestanding sign in excess of 3.0 metres in "sign height" shall be accompanied by structural drawings. Billboard signs in excess of 15 square metres shall be accompanied by drawings bearing the stamp of a registered Newfoundland and Labrador engineer;
- iii. All ground at the base of signs shall be reinstated to original material (i.e. asphalt, grass, etc.) and shall be maintained in good condition;
- iv. In the case of shared parking lots (i.e. Shopping centres, mini-malls, etc.), where a common entrance is utilized to gain access to the parking area, signs may be located elsewhere within that parking lot if it cannot be accommodated in front of the applicants property;
- v. All advertising devices shall be securely anchored to the ground through the use of footings, sunken holes, etc., or other Town approved method.

5. Temporary/ Portable Signs

These conditions shall apply only to "Temporary/ Portable Signs" which are erected for a specific purpose for a limited duration:

- i. No person shall erect either of the above noted signs without first obtaining a permit from the Town of Gander. No permit will be issued to erect such a sign unless all the requirements of this policy are satisfied;
- ii. A permit issued for a portable sign shall expire one year from the date of issuance. Upon request, the permit may be renewed at this time.
- iii. No sign will be permitted to be erected in the public right-of-way or within 15 metres of another temporary/ portable sign;

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- iv. Not more than one (1) sign shall be permitted on any one lot. In the case of corner lots, housing multiple businesses, one (1) sign facing each street may be permitted. (Both signs are prohibited for the same business);
- v. The maximum sign face area is limited to 5 square metres;
- vi. The number of messages on a single sign shall be limited to those that can be read at normal driving speed without impairing safety;
- vii. Signs will not be permitted to be placed so as to obscure other permanent signs, nor shall they be permitted to obstruct access to or from a parking lot, nor interfere with visibility or line of sight;
- viii. The maximum sign height from ground level to the top of the sign shall be 3 metres;
- ix. During the months of December to April, the advertisement shall be set back from the property line a minimum distance of one half (1/2) the height of the advertisement, and at no time shall be permitted to encroach on Town property;
- x. Portable lighted signs shall be approved by the Canadian Standards Association (or other recognized authority as approved by the Town of Gander) and bear the C.S.A. approval decal on the sign. If the sign is considered mobile, it shall be fully approved and licensed by the Motor Vehicle Registration Division;
- xi. The advertisement shall be securely anchored as approved by the Engineering Department of the Town of Gander;
- xii. The sign may be ordered removed by the Town of Gander at any time if the above noted stipulations are violated or if, in the opinion of Council, it is deemed unsafe or hazardous to the public.

6. Political Signage

These conditions shall apply only to "Political Signage" erected on a temporary basis and solely for the purpose of election promotion:

- i. Signs will be permitted to be placed on Town property only, or on private property with the expressed written consent of the owner;
- ii. Maximum size of this class sign shall be 3.0 square metres;
- iii. Building Permits are not required;
- iv. Signs will not be permitted to be put in place a maximum of thirty days preceding the announced date of a municipal election. In the case of provincial and federal elections, signs may be erected once the writ of election is issued.
- v. All signage shall be removed immediately within two days following the election. Any signage still in place at this time will be removed by the Town of Gander at the owner's expense;
- vi. For elected officials, small non-promotional signs, for office identification purposes only, will be permitted year round on established signs or building faces to a maximum size of 0.2 square metres;

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- vii. Unlit signs only are permitted;
- viii. Signs are to be checked periodically by the owner for damage and reinstatement;
- ix. Dilapidated or unkempt signs on Town property may be removed by the Town of Gander

7. Signs on Town Property

These conditions shall apply to the placement of "Signs on Town Property":

a) Town Owned Parking Lots

- i. Signs situated on Town owned parking lots shall be limited to two (2) signs per parking lot, per shopping area. There must be a signed agreement between business owners, and all businesses must be able to advertise on this sign if they wish;
- ii. It shall be permanently fixed;
- iii. The maximum size is not to exceed 10 square metres;
- iv. Ground at the base of the sign shall be reinstated to original material (i.e. asphalt, grass, etc.) and shall be maintained in good condition;
- v. Permission may be granted, on occasion, for the use of Temporary/ Portable free standing signs in a Town owned parking lot. Permission would be for a maximum of 1 month, twice per calendar year or (if no other applications are received) 2 months concurrently, once per calendar year; If an applicant has utilized the two month maximum, they may be permitted to have the sign permit extended (at no cost), in one (1) month increments, provided there are no current applications for this area. If Council receives an application during this permit extension period, the sign shall be removed immediately.
- vi. Each parking lot shall be limited to a maximum of two signs at a given time. Temporary/ Portable signs shall be limited to the months of May to November (inclusive);
- vii. The Town of Gander has the discretion to approve signs on Town property.

b) Designated Site

The corner of Airport Boulevard and Fraser Road, approximately across from the Gander Curling Club, has been designated for this purpose.

- i. The design and quality of the sign must be approved individually by the Town. Minimum requirements will include professional style lettering and graphics. Exposed unpainted wood or metal is unacceptable;
- ii. The sign must be anchored to the ground by utilizing sunken holes or some other method that eliminates the need for ballast (sandbags, rocks, etc.);
- iii. Only one sign, in addition to the Fire Prevention sign, will be permitted on this site at any given time;
- iv. Approval is for 1 month, with a further extended period of 1 month provided

- at the discretion of Council;
- v. This type of signage is limited to non-commercial, and any messages must be of a public service nature.

c) Recreational Sites/ Facilities

- i. Signs will be permitted to be placed up to fourteen days before an event/activity and must be removed within two days following the completion of the event/activity;
- ii. Sign message shall be at the Town of Gander's discretion;
- iii. Building Permits are not required for charitable groups;
- iv. Priority shall be given to events/activities showing a mutual to both the Town of Gander and the group;
- v. The number of signs shall be limited to one at any given time in front of any facility.

8. Removal of Advertisements

Notwithstanding the provisions of these Regulations, the Authority may require the removal of any advertisement which, in its opinion, is:

- i. Hazardous to road traffic by reason of its siting, color, illumination or structural condition, or
- ii. Detrimental to the amenities of the surrounding area.

9. Enforcement

- a) The Town Council of Gander or its authorized administrator shall be the Enforcement Authority for the purposes of these Regulations;
- b) Enforcement and prosecution under these Regulations may be undertaken by any Police Officer or by any other person so authorized by the Enforcement Authority;
- c) Every person requested by a Police Officer or person authorized to enforce these Regulations shall upon request, forthwith give his/her proper name and address;
- d) Pursuant to Section 404(1) of the Act, the Enforcement Authority may, serve upon the owner or tenant in violation of a provision of these Regulations, a serially numbered notice instructing the owner or tenant to removal or relocation of any sign or signboard which it considers unsafe or insecure or is a menace to the public, or has been erected in contravention of these Regulations;
- e) If the owner fails to comply with the directions contained in said order within the timeframe provided therein, the Enforcement Authority may cause the removal or relocation of such sign or signboard at the cost of the owner;

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- f) The owner or any other person served a notice shall carry out the directions of the Enforcement Authority referred to in Section 9 (d) at the cost of the owner or person served within the time specified;
- g) Where the Enforcement Authority has placed or caused the placing of a sign, placard, or notice upon any premises under the authority of these Regulations or any other applicable law, by-law or regulation, no person shall remove such sign, placard, or notice except with the consent of the Enforcement Authority;
- h) Any costs to the Town for all works carried out in response to a violation of these Regulations, in addition to any penalty prescribed hereunder, may be recoverable from the owner or the person in contravention of these Regulations as a civil debt;
- i) It shall be the duty of a Police Officer or the Enforcement Authority to:
 - i. Report the name and address of any person observed, or reliably reported to have violated any of the provisions of these Regulations;
 - ii. Report the time and nature of the violation of the Regulations, and any circumstances being relevant to the violation;
 - iii. Serve upon the person violating and provision of these Regulations a serially numbered notice that the person concerned has violated a provision of the Regulations, and instructing such person to carry out any order in regard to such violation;
 - iv. Furnish the Town Clerk a duplicate of each serially number notice of violation.

10. Failure to Comply

- a) Pursuant to Section 404(5) of the Act, where a person to whom an order is directed does not comply with the order or part of an order made under Section 9 (d), Council may take the action that it considers necessary to carry out the terms of the order and any costs, expenses or charges incurred by Council in carrying out the terms of the order are recoverable from the person against whom the order was made as a debt owed to Council;
- b) Council may delegate to an official or employee of Council the power to issue orders under this section;
- c) The owner shall save harmless Council, its employees, servants or agents from any and all claims arising out of the actions of Council, its employees, servants or agents in the process of inspecting and/or carrying out work under these Regulations, except in the case of gross negligence.

11. Offence and Penalties

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- a) Every person who commits an offence under these Regulations or who acts in contravention of or fails to comply with any provision thereof, or neglects or refuses to do so:
- i. May be liable to penalties as stipulated in accordance with section 420 of the Act; or
 - ii. May be subject to an order under section 404 (1) of the Act; or
 - iii. May be subject to a violation notice issued under section 421.1 (1) of the Act; or
 - iv. May be issued a ticket under the Provincial Offences Act in accordance with section 421.2 of the Act.
- b) The conviction of a person for failing to comply with a requirement or obligation referred to in subsection (a) shall not operate as a bar to further prosecution under these Regulations for the continued failure on the part of the person in comply.

12. Severability

If a court of competent jurisdiction should declare any section or part of a section of these Regulations to be invalid, such declaration shall not affect the remainder of these Regulations and the remainder of these Regulations should be valid and shall remain in force.

13. Repeal

All previous Sign Regulations for the Town of Gander are hereby repealed.